

Exhibit 104

CONFIDENTIAL
Lill Drost - October 1, 2021

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
MASTER DOCKET 18-MD-2865 (LAK)

IN RE:)
)
CUSTOMS AND TAX ADMINISTRATION OF)
THE KINGDOM OF DENMARK)
(SKATTEFORVALTNINGEN) TAX REFUND)
SCHEME LITIGATION)
)
-----)

C O N F I D E N T I A L

VIDEO DEPOSITION OF
LILL DROST
Copenhagen, Denmark
Friday, October 1, 2021

Reported by: CHRISTINE MYERLY

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21 (Pages 78 to 81)

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1	MR. OXFORD: Objection to form.	1	more than what they had initially sent to S□IK.
2	A My staff became aware that there	2	MR. OXFORD: He may not be saying
3	was apparently an attempt of fraud with dividend	3	anything. Are you trying to examine the witness,
4	tax -- dividend tax reclaim. Sorry.	4	Drew?
5	BY MR. DULBERG:	5	BY MR. DULBERG:
6	Q But you knew about that in August	6	Q If you look at the page ending in
7	of 2015, correct?	7	449, do you see that?
8	MR. OXFORD: Objection to form.	8	A Yes.
9	A No, I do not think that we did. I	9	Q It describes information SKAT has
10	don't know.	10	received from authorities in the UK, correct?
11	BY MR. DULBERG:	11	A Yes.
12	Q Didn't we earlier look at an	12	Q And it says -- after the sentence
13	e-mail from Michael Amstrup to Anne Munksgaard in	13	that ends with S□IK, it describes the purchase and
14	June of 2015?	14	sale of each share, do you see that?
15	MR. OXFORD: Objection to form.	15	MR. OXFORD: Objection to form.
16	A Yes. I am sorry, I am mixing	16	A Yes.
17	different things. I thought that we were looking at	17	BY MR. DULBERG:
18	the page ending in 446 that says, "Attempted fraud."	18	Q And that first sentence underneath
19	THE WITNESS: Sorry.	19	the reference to one and two, most of the way down
20	BY MR. DULBERG:	20	the page, refers to very large trades in Danish
21	Q No problem at all. My question	21	shares, correct?
22	for you is, what led SKAT to provide the additional	22	MR. OXFORD: Objection to the form.
23	notification that begins on the page ending 448?	23	A I don't see -- no, it says equally
24	MR. OXFORD: Objection to form.	24	large -- equally large purchases and sales of the
25	A My staff discovered that there was	25	individual shares.
Page 80		Page 81	
1	BY MR. DULBERG:	1	A Yes.
2	Q If we look to the bottom of the	2	Q He attached a draft agenda for a
3	first page of this note ending in 448, what we are	3	meeting with the IRS, correct?
4	talking about here are American and Canadian pension	4	A Yes.
5	plans, do you see that?	5	Q Did you help prepare that agenda?
6	A Yes.	6	A No.
7	Q And the UK authorities had told	7	Q You did eventually attend a
8	SKAT that American pension plans were placing very	8	meeting with the IRS, correct?
9	large purchases, sales of Danish securities?	9	A Yes. I participated together with
10	MR. OXFORD: Objection to form.	10	someone from competent authorities. It is standard
11	BY MR. DULBERG:	11	that you have somebody from management with you.
12	Q Correct?	12	Q Was that Bert?
13	A I don't see what it is that you	13	A Bent.
14	are referring to.	14	Q Bent Bertelsen?
15	Q Okay. Let's go to Exhibit 4017.	15	THE INTERPRETER: Just checking the
16	MR. OXFORD: It's the other binder.	16	spelling.
17	Q Sorry for all the binders.	17	Q I believe it's B-E-R-T-E-L-S-E-N.
18	Occupational hazard.	18	If you look at the proposed agenda for the meeting
19	MR. OXFORD: We're happy to limit it to	19	with the IRS, it notes that SKAT wishes to have a
20	one binder per deposition.	20	meeting in person with the IRS officials under the
21	Q Is this an e-mail you received	21	J-I-T-S-I-C umbrella, do you see that?
22	from Lars Nielsen?	22	A Is everything in English?
23	A Yes.	23	Q This is the document as we
24	Q And we talked about him before, he	24	received it. So it is in English, and then I
25	worked in special control, correct?	25	believe a Danish version is -- has a strike through.

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24 (Pages 90 to 93)

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<p>1 A I need for you to repeat it, then.</p> <p>2 Q Hadn't Mr. Ekstrand suggested that</p> <p>3 the only purpose -- withdrawn. Hadn't Mr. Ekstrand</p> <p>4 suggested that SKAT could not have a</p> <p>5 backward-looking purpose in meeting with the IRS?</p> <p>6 MR. OXFORD: Objection to form.</p> <p>7 A No, I don't think so.</p> <p>8 BY MR. DULBERG:</p> <p>9 Q Do you recall that being an issue</p> <p>10 raised by the legal department?</p> <p>11 MR. OXFORD: Objection to form.</p> <p>12 A I don't even know what we are</p> <p>13 talking about now.</p> <p>14 BY MR. DULBERG:</p> <p>15 Q Did you ultimately attend the</p> <p>16 meeting with the IRS?</p> <p>17 MR. OXFORD: Objection to form.</p> <p>18 A Yes.</p> <p>19 BY MR. DULBERG:</p> <p>20 Q That meeting took place under the</p> <p>21 JITSIC umbrella, correct?</p> <p>22 A And now I can say yes to this,</p> <p>23 because I can see that Lars Andersen was there</p> <p>24 and -- so, I can say yes because I can see Lars</p> <p>25 Andersen was there and he was under the umbrella of</p>	<p>1 JITSIC, and Bent Bertelsen, he was there from</p> <p>2 competent authority.</p> <p>3 Q The meeting took place in</p> <p>4 Washington D.C., correct?</p> <p>5 A Yes.</p> <p>6 Q And can you tell me everyone who</p> <p>7 attended on behalf of SKAT?</p> <p>8 A Yes. So, I -- I was there,</p> <p>9 Christian Ekstrand, Lars Andersen, Bent Bertelsen</p> <p>10 and Bente Frelesen. I might have forgotten one.</p> <p>11 As well as Lars Moller Nielsen.</p> <p>12 Q Six people in total?</p> <p>13 A That is what I remember. I may</p> <p>14 not remember this correctly. This is long ago.</p> <p>15 Q Did you all fly together from</p> <p>16 Denmark?</p> <p>17 A Yes. I don't know about Lars</p> <p>18 Andersen, but I think so.</p> <p>19 Q Do you know who paid for the</p> <p>20 flights?</p> <p>21 A SKAT. SKAT, I assume. I don't</p> <p>22 know. Yes, they did.</p> <p>23 Q Certainly you did not pay for your</p> <p>24 own trip to Washington D.C., correct?</p> <p>25 A No.</p>
Page 92	Page 93
<p>1 Q SKAT paid, right?</p> <p>2 A Yes.</p> <p>3 Q Where did you stay?</p> <p>4 A I don't remember the name of the</p> <p>5 hotel, but we have a unit in charge of booking</p> <p>6 hotels nearby the venue.</p> <p>7 Q What do you recall in terms of the</p> <p>8 substance of the meeting with the IRS?</p> <p>9 A So, as a manager, it is always</p> <p>10 nice to go out and meet other tax authorities. And</p> <p>11 I found out that my staff also had very fruitful</p> <p>12 discussions.</p> <p>13 Q At any time do you remember the</p> <p>14 IRS saying that there was a problem or deficiency</p> <p>15 with any U.S. pension plan?</p> <p>16 MR. OXFORD: Objection to form.</p> <p>17 A I don't remember the details, but</p> <p>18 I remember that my staff had their -- some of their</p> <p>19 suspicions confirmed, and that we gained a better</p> <p>20 understanding of the relevant rules.</p> <p>21 BY MR. DULBERG:</p> <p>22 Q Can you identify any information</p> <p>23 the IRS provided that confirmed a suspicion held by</p> <p>24 any member of your staff?</p> <p>25 A I don't remember.</p>	<p>1 Q There were minutes maintained by</p> <p>2 SKAT summarizing this meeting, correct?</p> <p>3 A I don't remember. But usually</p> <p>4 that is what we do.</p> <p>5 Q If you can find Exhibit 4024, I</p> <p>6 think you will find those minutes. Do you see</p> <p>7 Exhibit 4024?</p> <p>8 A Yes.</p> <p>9 Q Is this an e-mail you received</p> <p>10 from Bent Bertelsen?</p> <p>11 A Yes.</p> <p>12 Q You sent it to a group that</p> <p>13 attended the meeting with the IRS, correct?</p> <p>14 A Yes. Then he has cc-ed his boss.</p> <p>15 Q That is Kai Jacobsen?</p> <p>16 A Yes.</p> <p>17 Q He attached his notes from his</p> <p>18 meeting with the IRS, correct?</p> <p>19 MR. OXFORD: Objection to the form.</p> <p>20 A Yes. Well, I can't really see</p> <p>21 whether it is his.</p> <p>22 BY MR. DULBERG:</p> <p>23 Q Well, it is notes that he has</p> <p>24 combined with comments of Lars Andersen and Lars</p> <p>25 Neilsen based on his e-mail, correct?</p>